

# Order

## Of the Bar Harbor Town Council

### For the November 3, 2009 Town Meeting

It is hereby ordered that the following article be placed on the special town meeting warrant with voting thereon to be held by Australian ballot.

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### Warrant Article

**LAND USE ORDINANCE AMENDMENT – Town Hill Village District and Town Hill Greenbelt District** – Shall an Ordinance dated July 14, 2009 and entitled “An amendment to rezone parts of Town Hill into the Town Hill Village District and the Town Hill Greenbelt District” be enacted?

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### Town Hill Village District and Town Hill Greenbelt District

**An amendment to rezone parts of Town Hill into the Town Hill Village District and the Town Hill Greenbelt District.**

*The Town of Bar Harbor hereby ordains that Chapter 125 of the Town Code is amended as follows:*

[Please Note: Old language is ~~stricken~~. New language is underlined.]

## Chapter 125 , LAND USE ORDINANCE

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### ARTICLE III Land Use Activities and Standards

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#### § 125-44.1 Town Hill Village.

##### A. Purpose

The Town Hill Village District is the primary growth area for commercial development in Town Hill. It is also the center for social and cultural activity to its residents. Mixed use developments that encourage commercial activity at the street level are desired. New development, redevelopment and infill development shall respect the existing scale of the village.

##### B. Dimensional Standards

- (1) Minimum lot size: 20,000 square feet (or minimum lot size that meets the current standards for the State Plumbing Code).

- (2) Maximum residential lot size: 40,000 square feet for single family and two family.
- (3) Minimum road frontage and lot width: 100 [feet].
- (4) Minimum front setback: 25 [feet].
- (5) Minimum side setback: 10 [feet].
- (6) Minimum rear setback: 10 [feet].
  - The Design Review Board may allow zero lot line setbacks for commercial structures that maintain an appropriate scale.
- (7) Maximum lot coverage: 60%; The Design Review Board may allow up to 75% lot coverage if green roofs, rain gardens and/or other low impact design techniques are used.
- (8) Maximum height: 35 [feet]. 40 [feet] may be allowed if approved by the Design Review Board based on building design and protection of scenic views.
- (9) Minimum area per family: 20,000 square feet.
- (10) No building on a lot shall be greater than 10,000 SF.

#### B1. Dimensional Standards with Sewers or Community Septic

- (1) Minimum lot size: 10,000 square feet
- (2) Maximum residential lot size: 20,000 square feet for single family and two family.
- (3) Minimum road frontage and lot width: 50 [feet].
- (4) Minimum front setback: 25 [feet].
- (5) Minimum side setback: 10 [feet].
- (6) Minimum rear setback: 10 [feet].
  - The Design Review Board may allow zero lot line setbacks for commercial structures that maintain an appropriate scale
- (7) Maximum lot coverage: 60%; The Design Review Board may allow up to 75% lot coverage if green roofs, rain gardens and/or other low impact design techniques are used.
- (8) Maximum height: 35 [feet]. 40 [feet] may be allowed if approved by the Design Review Board based on building design and protection of scenic views.
- (9) Minimum area per family: 5,000 square feet.
- (10) No building on a lot shall be greater than 10,000 SF.

#### C. Allowed Uses

Uses allowed by a building permit or a change of use permit by the Code Enforcement Officer: all retail, public information; municipal uses; restaurants & bars; theaters; galleries; banks; services; professional offices; vacation rentals; food-processing establishments; residential uses; bed & breakfast

Uses allowed by site plan review: Medical Clinics

#### D. Other Requirements

- (1) All changes to facades and signs require Design Review Board approval.
- (2) Parking requirements shall follow the requirements found in Section 125-67 D.

## **§ 125-44.1 Town Hill Greenbelt.**

### **A. Purpose**

The Town Hill Village District is the primary growth area for commercial development in Town Hill. It is also the center for social and cultural activity to its residents. Mixed use developments that encourage commercial activity at the street level are desired. New development, redevelopment and infill development shall respect the existing scale of the village.

### **B. Dimensional Standards**

- (1) Minimum lot size: 40,000
- (2) Minimum road frontage and lot width: 200 [feet].
- (3) Minimum front setback: 50 [feet].
- (4) Minimum side setback: 25 [feet].
- (5) Minimum rear setback: 25 [feet].
- (6) Maximum lot coverage: 25%
- (7) Maximum height: 35 [feet].
- (8) Minimum area per family: 40,000 square feet.

### **C. Allowed Uses**

Uses allowed by a building permit or a change of use permit by the Code Enforcement Officer: single-family and two-family uses; bed & breakfast.

Uses allowed by site plan review: multi-family dwelling I & II; residential developments of 3 or more lots or units must follow Planned Unit Development requirements found in Section 125-69 M.

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## **ARTICLE XII Construction and Definitions**

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### **§ 125-109 Definitions.**

The following terms shall have the following meanings:

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COMMUNITY SEPTIC -

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Given under our hands and seal at Bar Harbor this seventh day of July 2009.

Municipal Officers of the Town of Bar Harbor

Ruth A. Eveland, Chair	Robert Garland, Vice-Chair
Paul A. Paradis , Secretary	Robert L. Jordan, Jr.
Julia Schloss	Greg Veilleux
	Sandy McFarland